

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SCOTT A. MEDFORD,  
Plaintiff,

v.

RICHARD SMITH,  
Defendant.

Case No. 17–CV–00243–JPG–GCS

**MEMORANDUM AND ORDER**

This is a prisoner civil-rights case. Before the Court is Magistrate Judge Gilbert C. Sison’s Report and Recommendation (R. & R.). (ECF No. 69). Magistrate Judge Sison recommends that this Court grant Defendant Richard Smith’s Motion for Summary Judgment. (ECF No. 51). Specifically, Magistrate Judge Sison found that Plaintiff Scott A. Medford failed to exhaust his administrative remedies: a precondition to suit.

The Court may accept, reject, or modify—in whole or in part—the findings or recommendations of a magistrate judge in a R. & R. FED. R. CIV. P. 72(b)(3). The Court must review de novo the portions of the R. & R. to which objections are made. Id. The parties have 14 days after service of the R. & R. to file written objections. SDIL-LR 73.1(b). “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” Johnson v. Zema Sys. Corp., 170 F.3d 734, 739 (7th Cir. 1999).

Magistrate Judge Sison filed the R. & R. on October 21, and Plaintiff did not object. The Court reviewed the R. & R. and finds that it is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the R. & R. in its entirety, (ECF No. 69);
- **GRANTS** Defendant Smith’s Motion for Summary Judgment, (ECF No. 51);
- **DENIES AS MOOT** Plaintiff’s Motion to Subpoena Witness, (ECF No. 63);

- **DISMISSES WITHOUT PREJUDICE** Defendant Smith; and
- **DIRECTS** the Clerk of Court to enter judgment.

**SO ORDERED.**

**Dated: Tuesday, December 3, 2019**

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**UNITED STATES DISTRICT JUDGE**